

## REMARKS

The applicant appreciates the opportunity to discuss a draft response to the pending Official Action during a telephone interview conducted on 30 April 2004 with Examiners Jackson and Smits. As discussed at the end of the telephone interview, the applicant submits the  
5 amendments above for formal entry to enable the Office to consider this application further.

Paragraph 3 of the pending Official Action rejected independent claim 1 under § 102(e) as being anticipated by Surace, and paragraph 5 of the Official Action rejected independent claim 18 under § 103(a) as being unpatentable over Surace in view of Rtischev. The applicant has reviewed the Action and the applied art and has amended claims 1 and 18 as shown above to  
10 recite certain features that are believed not shown or suggested by Surace.

First, as amended above, independent claims 1 and 18 recite a live agent interacting with a live customer, while Surace appears to disclose a computerized or electronic "agent" that emulates various human personalities when interacting with human "customers". Second, independent claims 1 and 18 recite the evaluation or analysis of that portion of the voice  
15 interaction spoken by the live or human "agent", while Surace appears to be more concerned with evaluating or analyzing portions of voice interactions spoken by the "customers", so as to enable Surace's computerized "agent" to understand and respond to live "customers".

The applicant has also amended the dependent claims to address various informalities.

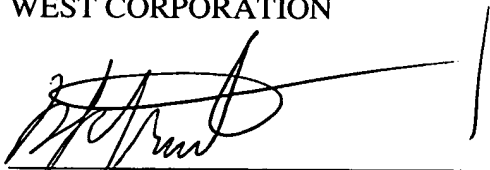
The applicant requests favorable action on this response at the Office's earliest  
20 convenience.

Respectfully submitted,

WEST CORPORATION

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Dated: 30 APR 04

By:

  
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PATENT

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